THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.25071 of 2007

Between:

D.Venkatacharyulu and others.

.. PETITIONERS

and

The Appellate Authority and another.

.. RESPONDENTS

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THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.25071 of 2007

ORDER:

It is the case of the petitioners that they purchased various extents of

lands in R.S.Nos.109/11, 109/01, 109/08, 109/2001, 109/08, 109/09, 109/07 and 109/10 situated at Ampapuram Village, Bapulapadu Mandal, Krishna District, from their vendors.

It is the case of the petitioners that the lands in question are not assigned lands or Government lands but they are patta lands. While so, when the respondents started interfering with the peaceful possession and enjoyment of the lands in question, without following due process of law, the petitioners filed W.P.No.10895 of 2007 before this Court. This Court through order, dated 22-08-2007, dismissed the said writ petition on the ground that the 2nd respondent herein already passed resumption order on 12-05-2006 under Section 4 (1) (a) of A.P.Assigned Lands (Prohibition of Transfers) Act, 1977 resuming the land admeasuring Ac.14-71 cents of Ampapuram village, Bapulapadu Mandal, Krishna District, and therefore, this Court gave liberty to the petitioners to file an appeal before the Revenue Divisional Officer against the resumption order of the Tahsildhar. It is stated that after obtaining the said resumption order in Rc.A.1191/05, dated 12-05-2007, petitioners 1 to 4 filed an appeal on 12-11-2007 and petitioners 5 to 8 filed another appeal on 22-10-2007 and both the appeals are pending before the 1st respondent. Pending disposal of the appeals, the 2nd respondent is taking steps to dispossess the petitioners from the lands in question.

Learned counsel appearing for the petitioners submits that both the appeals have been numbered as 8.

I am not inclined to express any opinion whether the appeals have been filed in time or not and whether both the appeals have given same number 8 or not. But, however, if any appeals are pending, the 1st respondent shall consider and dispose of the same.

Accordingly, the writ petition is disposed of directing the 1st respondent to consider and dispose of the appeals filed against the order of the 2nd respondent, dated 12-05-2007, if any pending, as expeditiously as possible, in accordance with law. Pending disposal of the appeals, status-quo obtaining as on today with regard to possession shall be maintained.

There shall be no order as to costs.

27-11-2007

Prv